

**SUMMARY REPORT DIGEST-
COMPLAINT REGISTER INVESTIGATION NO.:
CHICAGO POLICE DEPARTMENT**

260120

DATE OF REPORT (DAY-MO.-YEAR)

20 March 2000

To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED or in SUSTAINED cases where the Disciplinary Recommendation does not exceed FIVE (5) DAYS SUSPENSION.

SUBMIT ORIGINAL AND 3 COPIES IF ASSIGNED TO SAME UNIT AS ACCUSED.
SUBMIT ORIGINAL AND 4 COPIES IF NOT ASSIGNED TO SAME UNIT AS ACCUSED.

TO: SUPERINTENDENT OF POLICE

ATTENTION

☐ ADMINISTRATOR IN CHARGE, OFFICE OF PROFESSIONAL STANDARDS
☒ ASSISTANT DEPUTY SUPERINTENDENT, INTERNAL AFFAIRS DIVISION

FROM-INVESTIGATOR'S NAME Maryann BIALAS				RANK PO	STAR NO. 17345	SOCIAL SEC. NO. [REDACTED]	EMPLOYEE NO. [REDACTED]	UNIT ASSIGN. 121-S		
ADDRESS OF INCIDENT 2111 West Lexington - Alternate Response Unit				DATE OF INCIDENT - TIME 16-17 February 2000		BEAT OF INCIDENT 1222		LOCATION CODE* 04		
ACCUSED	NAME 1. Jeanette SAMS			RANK PO	STAR NO. 7523	SOCIAL SEC. NO. [REDACTED]	EMPLOYEE NO. [REDACTED]	UNIT ASSIGN. 376		
	2. Carolyn TOVAR			PO	4748	[REDACTED]	[REDACTED]	376		
	SEX/RACE 1. F/B	D.O.B. [REDACTED] 1958	DATE OF APPOINTMENT 30 January 1991	DUTY STATUS (TIME OF INCIDENT) <input checked="" type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY		<input checked="" type="checkbox"/> SWORN <input type="checkbox"/> CIVILIAN		PHYS. COND. CODE† 01		
	2. F/B	[REDACTED] 1966	29 June 1992	<input checked="" type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY		<input checked="" type="checkbox"/> SWORN <input type="checkbox"/> CIVILIAN		01		
IF APPLICABLE - DATE ARRESTED/INDICTED				CHARGES		COURT BRANCH		DISPOSITION & DATE		
1.										
2.										
COMPLAINANTS	NAME Jeanette SAMS, Police Officer			ADDRESS** Star # 7523, Unit 376		CITY STATE [REDACTED]	TELEPHONE Pax 4031	SEX/RACE F/B	D.O.B./AGE [REDACTED] 58	PHYS. COND. CODE† 01
	Carolyn TOVAR			Star# 4748, Unit 376		[REDACTED]	Pax 4031	F/B	[REDACTED] 66	01
VICTIMS	NAME			ADDRESS**		CITY STATE	TELEPHONE	SEX/RACE	D.O.B./AGE	PHYS. COND. CODE†
WITNESSES	NAME			ADDRESS**		CITY STATE	TELEPHONE	SEX/RACE	D.O.B./AGE	PHYS. COND. CODE†

☒ SEE ATTACHED SHEET FOR ADDITIONAL ACCUSED, COMPLAINANTS, VICTIMS, WITNESSES

ALLEGATIONS

This complaint was registered by D. WOLFE, Office of Professional Standards, via telephone, on 17 February 00, 1740 hours. It was initiated by Sergeant William BRATEK, # 1479, Unit 376.

Allegation #1: It is alleged that accused 1 & 2 brought a personal problem concerning a secondary business into the workplace, and caused a disruption in daily operations by involving other Department members.

Allegation #2: It is further alleged that accused 1 & 2 are selling products from their personal business during their normal working hours in Unit 376.

I.A.D. LOCATION CODES*

- 01 Food Sales/Restaurant
- 02 Tavern/Liquor Store
- 03 Other Business Establishment
- 04 Police Building
- 05 Lockup Facility
- 06 Police Maintenance Facility
- 07 CPD Automotive Pound Facility
- 08 Other Police Property
- 09 Police Communications System
- 10 Court Room

- 11 Public Transportation Veh./Facility
- 12 Park District Property
- 13 Airport
- 14 Public Property Other
- 15 Other Private Premise
- 16 Expressway/Interstate System
- 17 Public Way - Other
- 18 Waterway, Incl. Park District
- 19 Private Residence

I.A.D. PHYSICAL CONDITION CODES†

- 01 No Visible Injury - Apparently Normal
- 02 No Visible Injury - Under Influence
- 03 Injured, Not Hospitalized
- 04 Injured, Not Hospitalized - Under Influence
- 05 Injured, Hospitalized
- 06 Injured, Hospitalized - Under Influence
- 07 Injured, Refused Medical Aid
- 08 Injured, Refused Medical Aid - Under Influence
- 09 Deceased
- 10 Deceased - Under Influence

* IF CPD MEMBER, LIST RANK, STAR, SOCIAL SECURITY, EMPLOYEE NOS. IN ADDRESS BOX, PAX/BELL IN TELEPHONE BOX.

Briefly summarize the investigation describing your efforts to prove or disprove the allegation(s). Indicate whether witnesses or evidence support or do not support the allegation(s). In sustained cases ONLY, copies of the accused member's Summary of Previous Disciplinary Actions and Record of Previous Complimentary History will be included as attachments.

SEE ATTACHED SHEETS

SUMMARY

ATTACHMENTS	INVESTIGATIVE REPORTS-SUPPORTING ALLEGATION LIST ATTACHMENT NUMBERS.	INVESTIGATIVE REPORTS-SUPPORTING ACCUSED MEMBER(S) LIST ATTACHMENT NUMBERS:	PHYSICAL EVIDENCE LIST ATTACHMENT NUMBERS:	TOTAL NUMBER OF ATTACHMENTS SUBMITTED WITH THIS FILE:
	2, 3, 6	12, 13	0	17

Summarize the findings and recommendations. Rule violations will be cited by number only. One overall recommendation for Disciplinary Action will be made by the investigator. The recommendation will be for ALL sustained findings; recommendations will NOT be made for each sustained allegation.
Example: 1. Violation noted, no disciplinary action warranted. 2. That the accused member be reprimanded. 3. That the accused member be suspended for days (not to exceed 5 days).

SEE ATTACHED SHEETS

FINDINGS--RECOMMENDATIONS

DATE INITIATED (DATE COMPLAINT WAS RECEIVED FOR INVESTIGATION)	22 FEB 00	DATE COMPLETED (DATE OF THIS REPORT)	20 March 00	ELAPSED TIME (TOTAL TIME, EXPRESSED IN DAYS)	28 Days
Investigator will initiate the Command Channel Review form by completing the Investigator's Section.		[REDACTED]			

IF NECESSARY, USE AN 8 1/2 x 11" SHEET OF

ADDITIONAL COMPLAINANTS:

#3. William BRATEK, Sergeant, Star # 1479, Unit 376

SUMMARY CONTINUED:

The initiation report of Sergeant William BRATEK, #1479, revealed that the two accused, Police Officer SAMS and Police Officer TOVAR, complained about each other regarding a dispute they were having with their personal business. BRATEK stated that because of an on going problem between the two accused, a meeting had to be held with the Deputy Director, himself, a supervisor, and the accused. BRATEK stated that during this meeting Accused #1 (SAMS) stated that Accused #2 (TOVAR) circulated defaming information about her regarding the selling of Herbalife products which is both accused personal business. BRATEK stated that Accused #2 (TOVAR) requested to file a complaint against Accused #1 (SAMS) for a business impropriety. BRATEK stated that the two accused brought their personal business problems into the workplace resulting in the involvement of other Department members and Office of Emergency Communications Personnel.

Police Officer Carolyn TOVAR, # 4748, submitted a To From Subject Report outlining her business problems with Accused #1, Police Officer Jeanette SAMS. TOVAR stated that herself, SAMS, and Police Officer TAYLOR, #17161, were all in the business of selling Herbalife products. TOVAR stated she became aware that SAMS sold some products to TAYLOR within the workplace and violated Herbalife Distributor rules. TOVAR added that SAMS was reported to the Herbalife company and then began a campaign to destroy TOVAR's business. TOVAR stated that since SAMS was reported to the company, numerous signs displaying her name and Herbalife products have been torn down or defaced.

In a To From Witness Report, Police Officer Sephere TAYLOR, #17161, stated that at no time did either accused make any disparaging remarks about the other. TAYLOR also stated that any business dealings with either accused took place in the parking lot while off duty or on a personal break.

In a To From Witness Report, Police Officer Sandy NASH, #16431, stated that both accused have been friends and business associates. NASH stated that she is not aware of any financial transactions conducted by the accused while on duty and has limited knowledge of their dissatisfaction with each other.

In an interview of Deputy Director Morris STEWARD, it was learned that both accused are involved in the business of selling Herbalife products. STEWARD stated that the two officers have been arguing about the business and have brought it to the work site. STEWARD stated that he has never witnessed the officers selling the products but has heard there were signs posted in the building about Herbalife. STEWARD added that he has since issued a memo that no signs for any merchandise be posted in the building.

In an interview with witness, Brenda WARD, Communications Operator I, Unit 376, it was learned that all she knew was the two accused were not speaking to each other. WARD stated she told both accused that they should get back together. WARD added that she never purchased any products from either accused.

In an interview with witness, Carolyn WRIGHT, Communications Operator I, Unit 376, WRIGHT stated that she heard there was a problem between the accused. WRIGHT stated that she minds her own business and did not get involved. WRIGHT added that she has never purchased any products from either accused.

In a To From Subject Witness Report, Police Officer H. WEATHERLY, #12700, stated that he was unaware of any problems regarding the accused. WEATHERLY added that he also has never overheard any conversations pertaining to the accused activities.

In a To From Subject Witness Report, Police Officer Loretta FULTZ-STEVENSON, stated that she was approached by accused TOVAR who tried to converse with her regarding her problems with accused, SAMS. FULTZ-STEVENSON stated that she advised accused TOVAR to try to resolve the matter with SAMS. FULTZ-STEVENSON added that she had signed up to become a distributor of Herbalife but did not continue in the business after the incident between the accused. FULTZ-STEVENSON added that she did not witness any officer selling any products while on duty.

In a To From Subject Witness Report, Sergeant Sandra SORIA, stated that a meeting was held at the request of accused, SAMS, because of the allegations being made by the accused, TOVAR. SORIA stated the accused made accusations against each other regarding their personal business. SORIA related that SAMS accused TOVAR of defaming her and TOVAR accused SAMS of stealing a client. SORIA added that this Complaint Register Number was then obtained by Sergeant BRATEK. SORIA stated that she is unaware of the accused selling any products during working hours.

Accused #1, Police Officer Jeanette SAMS, # 7523, was served with the Administrative Rights, Waiver/Secure Counsel, Notification of Charges/Allegations Forms. In a To From Subject Report, Officer SAMS stated that she did not intend to disrupt the operations of the Alternate Response Unit. SAMS related that she attempted to resolve the conflict between

herself and Officer TOVAR and sought guidance through her chain of command. SAMS stated that a meeting was held between herself, the Deputy Director, two supervisors and TOVAR to resolve the situation. SAMS added that she requested a Complaint Register number because of TOVAR's accusations. SAMS denied selling any products during her duty hours.

Accused #2, Police Officer Carolyn TOVAR, #4748, was served with the Notification of Charges/Allegations, Administrative Rights, and Waiver/Secure Counsel Forms. In a To From Subject Report, Officer TOVAR, denied bringing her personal business dispute into the workplace. TOVAR stated that she reported SAMS to the Ethics Department of Herbalife. TOVAR stated that SAMS was notified by Herbalife that such behavior will not be tolerated. Subsequently, SAMS told several members of the Police Department that TOVAR reported her to Herbalife and defamed her own character. TOVAR denied selling any Herbalife products during working hours and added that SAMS made false allegations against her.

This investigation revealed that the two accused officers, were both engaged in a secondary business, selling Herbalife products. A dispute occurred between the two regarding selling products to a person that was a known client of the other. Both accused brought this disagreement to the work site, the Alternate Response Unit, causing a disruption in daily operations. One accused stated that she was defamed by the other by being accused of stealing a client. All named witnesses declined to become involved in the dispute although several admitted knowing there was a problem between the accused. The Deputy Director, two supervisors, and the accused had to have a meeting to resolve the situation. This caused a disruption in the daily operations of the Unit. This meeting would not have been held had there not been a problem between the accused. The accused both admitted to some type of disagreement over business practices. Therefore, allegation #1 must be Sustained. The accused both denied selling Herbalife products while on duty. All witnesses denied knowledge of either accused selling any Herbalife products while working in Unit 376. Therefore, allegation #2 must be Not Sustained.

FINDINGS:

ACCUSED #1: Police Officer Jeanette SAMS, # 7523, Unit 376

Allegation #1:

SUSTAINED

VIOLATION OF RULE 2: ANY ACTION OR CONDUCT WHICH IMPEDES THE DEPARTMENT'S EFFORTS TO ACHIEVE ITS POLICY AND GOALS OR BRINGS DISCREDIT UPON THE DEPARTMENT.

Basis:

In that on 17 February 2000, a meeting had to be convened in Unit 376, between the accused, two supervisors, and the Deputy Director, to try to solve a problem you were having with another department member regarding a personal business matter, thereby causing a disruption in the daily operations of the unit.

Allegation #2:

NOT SUSTAINED

ACCUSED #2: Police Officer Carolyn TOVAR, #4748, Unit 376

Allegation #1:

SUSTAINED

VIOLATION OF RULE 2: ANY ACTION OR CONDUCT WHICH IMPEDES THE DEPARTMENT'S EFFORTS TO ACHIEVE ITS POLICY AND GOALS OR BRINGS DISCREDIT UPON THE DEPARTMENT.

Basis:

In that on 17 February 2000, a meeting had to be convened in Unit 376, between the accused, two supervisors, and the Deputy Director, to try to solve a problem you were having with another department member regarding a personal business matter, thereby causing a disruption in the daily operations of the unit.

Allegation #2:

NOT SUSTAINED

RECOMMENDATIONS:

The undersigned has taken into consideration the complimentary history of Accused #1, Police Officer Jeanette SAMS, #4723, Unit 376, and recommends that she be given a Reprimand.

The undersigned has taken into consideration the complimentary history of Accused #2, Police Officer Carolyn TOVAR, #7523, Unit 376, and recommends that she be given a Reprimand.

EVIDENCE

ATTACHMENTS

1. Complaint Against Department Member
2. Initiation Report: Sergeant William BRATEK, #1479, Unit 376
3. To From Subject Report of Complainant #2: Police Officer Carolyn TOVAR, Unit 376
4. Witness Report: Police Officer Sephere TAYLOR, #17161, Unit 376
5. Witness Report: Police Officer Sandy NASH, #16431, Unit 376
6. Report of Police Officer Maryann BIALAS, SIS-IAD, Interview of: Deputy Director Morris STEWARD, Unit 376
7. Report of Police Officer Maryann BIALAS. SIS-IAD, Interview of: Brenda WARD, Communications Operator I
8. Report of Police Officer Maryann BIALAS: SIS-IAD, Interview of: Carolyn WRIGHT, Communications Operator I
9. Witness Report: Police Officer H. WEATHERLY, Unit 376
10. Witness Report: Police Officer Loretta FULTZ-STEVENS, Unit 376
11. Witness Report: Sergeant Sandra SORIA, #2275, Unit 376
12. To From Subject Report of Accused #1: Police Officer Jeanette SAMS, #7523, Unit 376, Notification of Charges/allegations, Administrative Rights, Waiver/secure Counsel Forms
13. To From Subject Report of Accused #2: Police Officer Carolyn TOVAR, #4748, Unit 376, Notification of Charges/Allegations, Administrative Rights, Waiver/Secure Counsel Forms.
14. Complimentary History of Accused #1: Police Officer Jeanette SAMS, #7523
15. Disciplinary History of Accused #1: Police Officer Jeanette SAMS, #7523
16. Complimentary History of Accused #2: Police Officer Carolyn TOVAR, #4748
17. Disciplinary History of Accused #2: Police Officer Carolyn TOVAR, #4748